Repeal

ORDINANCE NUMBER 5

SERIES 1973

AN ORDINANCE REGULATING AND SETTING RATES FOR THE DISPOSAL OF REFUSE AND PROVIDING PENALTIES.

BE IT ORDAINED by the City Council of the City of Elgin, Oregon:

Section 1: DEFINITIONS. When used in this ordinance, unless the context requires otherwise:

(a) "Refuse" means solid waste.

(b) "Garbage" means all putrescible waste, except sewage and body waste, including vegetable waste and including all such substances from all public and private establishments and residence, but not including recognized industrial by-products.

(c) "Rubbish" means refuse other than garbage (tin cans, bottles, ashes, paper, pasteboard, cardboard or wooden boxes, brush, leaves, weeds and cuttings from trees, lawns, shrubs, and gardens, or other waste materials provided in normal course of everyday living).

(d) "Disposal Area" means any area designated or provided by the Council from time to time for the purpose of disposal of refuse.

(e) "Disposal Area Operator" means the person or persons designated by the Council to operate and manage the disposal area.

(f) "Person" means corporation, association, and partnership, as well as individual.

Section 2: DISPOSAL AREA OPERATOR. The disposal of refuse at the disposal area shall be under the control and supervision of the disposal area operator, or a person designated by him. The disposal area operator shall be responsible for conducting the sanitary landfill in a proper and sanitary manner.

Section 3: DISPOSAL AREA HOURS. The disposal area will be open in accordance with the schedule set by the disposal area operator and posted at the disposal area.

Section 4: PERMIT REQUIRED. All persons who wish to use the disposal area to dispose of refuse must have a permit. Permits may be obtained at the disposal area

or the City Recorder's Office. Fees charged will be in accordance with the schedule in Section 9.

Section 5: OPERATION OF DISPOSAL AREA. The City shall conduct the sanitary landfill at the disposal area.

Section 6: PROHIBITED DEPOSITS. The City reserves the right to prohibit deposit of industrial by-products, wire, dead animals and other materials considered undesireable at the disposal area.

Section 7: TRANSPORTING REFUSE. Any person who shall carry any refuse through the streets of the City of Elgin shall protect such refuse from wind and rain, and load it in such a manner so that none of it shall drop or spill, and shall provide his vehicle so carrying such refuse with a suitable cover securely fastened, or the load sufficiently bound so as to prevent the scattering or dropping of the refuse in said road.

Section 8: BURNING. No person shall burn garbage within the City Limits of the City of Elgin. Burning of rubbish shall be permitted.

Section 9: SERVICE CHARGES. The following fees and charges shall be levied by the City to any person or persons who use the disposal area:

(a) Minimum charge - 50¢.

(b) 32-gallon cans - 50¢ for the first two cans and 25¢ for each additional can.

(c) 50-gallon barrels - 50¢ each.

(d) One-half ton pickups and two-wheel trailers level full - $1.00.

(e) One-half ton pickups and two-wheel trailers with sideboards - $1.50 to $2.00, according to size of load.

(f) Trucks - $2.50.

(g) Appliances (stoves, refrigerators, coolers, washing machines, dryers, mangles, stokers, furnaces, water tanks, heaters, all large metal tanks, etc.) - $3.00 each.

(h) Car bodies - $5.00 each.

Section 10: POSTING OF RATES. Landfill rates above set forth shall be posted, and remain posted, at the disposal area by the operator thereof.

Section 11 PENALTIES. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not to exceed $50.00 or imprisonment in the City Jail not to exceed five (5) days, or both such fine and imprisonment.

Section 12: SEVERABILITY CLAUSE. If any section, sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

PASSED and ADOPTED this 19 day of June, 1973, by (5) council members voting therefore.

APPROVED this 19 day of June, 1973.

MAYOR OF THE CITY OF ELGIN

ATTEST:

City Recorder